

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNIVERSITY OF PITTSBURGH OF)
THE COMMONWEALTH SYSTEM OF)
HIGHER EDUCATION d/b/a)
UNIVERSITY OF PITTSBURGH)

Plaintiff,)

v.)

VARIAN MEDICAL SYSTEMS, INC.)
Defendant.)

Civil Action No.: 2:08-cv-01307

Judge Arthur J. Schwab

FILED ELECTRONICALLY

VERDICT FORM

Based on the evidence admitted at trial and in accordance with the instructions as given by the Court, we, the jury, unanimously agree to the answers to the following questions:

1. Has Varian proven by clear and convincing evidence that claims of the '554 patent are invalid because they are anticipated? Answer separately as to each claim.

Claim 20 Yes ____ No ____

Claim 21 Yes ____ No ____

Claim 22 Yes ____ No ____

Claim 25 Yes ____ No ____

Claim 26 Yes ____ No ____

Claim 28 Yes ____ No ____

Claim 30 Yes ____ No ____

Claim 31 Yes ____ No ____

Claim 38 Yes ____ No ____

2. Has Varian proven by clear and convincing evidence that claims of the '554 patent are invalid because they are obvious? Answer separately as to each claim.

Claim 20 Yes ____ No ____

Claim 21 Yes ____ No ____

Claim 22 Yes ____ No ____

Claim 23 Yes ____ No ____

Claim 24 Yes ____ No ____

Claim 25 Yes ____ No ____

Claim 26 Yes ____ No ____

Claim 28 Yes ____ No ____

Claim 29 Yes ____ No ____

Claim 30 Yes ____ No ____

Claim 31 Yes ____ No ____

Claim 32 Yes ____ No ____

Claim 36 Yes ____ No ____

Claim 37 Yes ____ No ____

Claim 38 Yes ____ No ____

3. Has Varian proven by clear and convincing evidence that claims of the '554 patent are invalid because they are not enabled? Answer separately as to each claim.

Claim 20 Yes ____ No ____

Claim 21 Yes ____ No ____

Claim 22 Yes ____ No ____

Claim 23 Yes ____ No ____

Claim 24 Yes ____ No ____

Claim 25 Yes ____ No ____

Claim 26 Yes ____ No ____

Claim 28 Yes ____ No ____

Claim 29 Yes ____ No ____

Claim 30 Yes ____ No ____

Claim 31 Yes ____ No ____

Claim 32 Yes ____ No ____

Claim 36 Yes ____ No ____

Claim 37 Yes ____ No ____

Claim 38 Yes ____ No ____

You have now reached the end of the verdict form and should review it to ensure it accurately reflects your unanimous determinations.

All jurors should then sign and date the verdict form in the spaces below and notify the bailiff that you have reached a verdict.

The Foreperson should retain possession of the verdict form and bring it when the jury is brought back into the courtroom.

X _____, Foreperson

X _____

X _____

X _____

X _____

X _____

X _____

DATED: _____, 2012